



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/296,538	04/22/1999	SYED S. ALI	ALI-23-3-11	8506

7590 07/17/2007
William H. Bollman
Manelli Denision & Selter PLLC
2000 M Street, N.W.
Suite 700
WASHINGTON, DC 20036-3307

EXAMINER

SING, SIMON P

ART UNIT	PAPER NUMBER
----------	--------------

2614

MAIL DATE	DELIVERY MODE
-----------	---------------

07/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/296,538

Applicant(s)

ALI ET AL.

Examiner

Simon Sing

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-20, 22-26 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-20, 22-26 and 28-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-5, 11-15 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal US 6,411,685 in view of Bobick et al. US 6,535,583.

1.1 Regarding claim 1, O'Neal discloses a voice messaging system in figure 1, comprising:

a controller (a voice messaging system inherently comprises a controller, or processor);

a user accessible voice message memory (InBox; figures 9 and 18) for storing user accessible voice message(s); and

a deleted voice message memory (Trash Bin; figure 9) for storing deleted voice message(s) (column 9, lines 55-59).

O'Neal teaches that after a voice message has been played back, a user deletes the voice message from the InBox (obviously by a command from a computer keypad if retrieval through Internet, or from a telephone keypad though PSTN 160; figures 1 & 2A;

Art Unit: 2614

column 7, lines 65 to column 8, line 3), the voice message is removed and stored in the Trash Bin (column 9, lines 14-38, 55-59). O'Neal fails to teach automatically compressing the voice message after being played back.

However, Bobick discloses a voice messaging system in figure 1. Bobick teaches that after a voice message has been played back to a user, the played voice message is automatically compressed and restored (column 1, lines 50-62).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the O'Neal's reference with the teaching of Bobick, so that after played back and deleted upon a delete command, a voice message would have been automatically compressed and moved to the Trash Bin, because such a modification would have reduced storage space for old messages in the Trash Bin.

1.2 Regarding claim 2, O'Neal teaches a telephone system 108 for interfacing with a PSTN in figure 1.

1.3 Regarding claim 3, O'Neal teaches moving a deleted voice message from the Trash Bin back to the InBox, and it is obvious that a compressed voice message can be played back by de-compressing (column 9, lines 62-65).

1.4 Regarding claim 4, O'Neal teaches expunging the deleted voice message from the Trash Bin (column 9, lines 62-65).

1.5 Regarding claim 5, O'Neal teaches using a computer 20 to access the voice messaging system for retrieving a voice message (column 9, lines 14-38), and it is obvious that a user is able to highlight the deleted voice message in the Trash Bin and press a delete key from the computer keyboard to permanently delete the deleted voice message.

1.6 Regarding claim 11, it is obvious that a compressed voice message has a lower bit rate than a un-compressed voice message.

1.7 Regarding claim 12, O'Neal discloses a method for retrieving and deleting a voice message in voice messaging system, comprising:

automatically moving a user deleted voice message from a user accessible first memory (InBox; figures 9 and 18) to a second memory (Trash Bin; figure 9) after played back and upon a user delete option from a keypad (obviously by a command from a computer keypad if retrieval through Internet, or from a telephone keypad though PSTN 160; figures 1 & 2A; column 7, lines 65 to column 8, line 3; column 9, lines 14-59).

O'Neal teaches moving the voice message to the Trash Bin after played back, but fails to teach automatically compressing the voice message after being played back.

However, Bobick discloses a voice messaging system in figure 1. Bobick teaches that after a voice message has been played back to a user, the played voice message is automatically compressed and restored (column 1, lines 50-62).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the O'Neal's reference with the teaching of Bobick, so that after played back and deleted upon a delete command, a voice message would have been automatically compressed and moved to the Trash Bin, because such a modification would have reduced storage space for old messages in the Trash Bin.

1.8 Regarding claim 13, O'Neal teaches moving a deleted voice message from the Trash Bin back to the InBox, and it is obvious that a compressed voice message can be played back by de-compressing (column 9, lines 62-65).

1.9 Regarding claim 14, O'Neal teaches inputting a password to access the voice messaging system (column 9, lines 18-20, 62-65).

1.10 Regarding claim 15, O'Neal teaches expunging the deleted voice message from the Trash Bin (column 9, lines 62-65).

1.11 Regarding claim 22, O'Neal discloses a voice messaging system in figure 1, comprising:

means for automatically moving a user deleted voice message stored in a user accessible first memory area (InBox; figures 9 and 18) upon a user selecting a keypad option (obviously by a command from a computer keypad if retrieval through Internet, or

from a telephone keypad through PSTN 160; figures 1 & 2A; column 7, lines 65 to column 8, line 3), to delete said voice message from the first memory area after played back (column 9, lines 55-59);

means for storing said deleted voice message in a deleted memory area (Trash Bin; figure 9; column 9, lines 55-59); and

means for retrieving same deleted voice message from the Trash Bin (column 9, lines 62-65).

O'Neal teaches moving the voice message to the Trash Bin after played back, but fails to teach automatically compressing the voice message after being played back.

However, Bobick discloses a voice messaging system in figure 1. Bobick teaches that after a voice message has been played back to a user, the played voice message is automatically compressed and restored (column 1, lines 50-62).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the O'Neal's reference with the teaching of Bobick, so that after played back and deleted upon a delete command, a voice message would have been automatically compressed and moved to the Trash Bin, because such a modification would have reduced storage space for old messages in the Trash Bin.

1.12 Regarding claim 23, O'Neal teaches inputting a password to access the voice messaging system (column 9, lines 18-20, 62-65).

Art Unit: 2614

1.13 Regarding claim 24, O'Neal teaches using a computer 20 to access the voice messaging system for retrieving a voice message (column 9, lines 14-38), and it is obvious that a user is able to highlight the deleted voice message in the Trash Bin and press a delete key from the computer keyboard to permanently deleting the deleted voice message.

2. Claims 6 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal US 6,411,685 in view of Bobick et al. US 6,535,583 and further in view of Murray US 5,369,697.

The modified O'Neal reference teaches deleting the voice message from the InBox and storing the deleted voice message in the Trash Bin. O'Neal further teaches expunging the deleted voice message in the Trash Bin, but fails to teach expunging (deleting) the deleted voice message is based on a predetermined condition such as a time length or time interval.

However, Murray teaches automatically deleting old voice messages after a time period (column 4, lines 25-26, 29-30).

Therefore, since the voice message in the Trash bin is an old message, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the O'Neal's reference with the teaching of Murray, so that old voice messages in the Trash Bin would have been automatically deleted, because such a modification would have freed up memory space for newly deleted messages.

3. Claims 7, 8, 19 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal US 6,411,685 in view of Bobick et al. US 6,535,583 and further in view of Garson et al. US 5,689,550.

The modified O'Neal reference teaches deleting the voice message from the InBox and storing the deleted voice message in the Trash Bin. O'Neal further teaches expunging the deleted voice messages in the Trash Bin, but fails to teach deleting an oldest voice message stored in the Trash Bin when deleted voice messages reach a predetermined number.

However, Garson discloses an interactive voice messaging system. Garson teaches that when voice messages in a "delete queue" (a memory area) reaches its limit by percentage of the memory area, or by number of call (messages), the oldest records are deleted (column 16, lines 23-32).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the O'Neal's reference with the teaching of Garson so that the oldest voice message in the Trash Bin would have been automatically and permanently deleted when the deleted voice messages reached a predetermined number, because such a modification would have freed up memory space for newly deleted messages.

Art Unit: 2614

4. Claims 9, 20 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Neal US 6,411,685 in view of Bobick et al. US 6,535,583 and further in view of Sweet et al. US 5,163,085.

The modified O'Neal reference teaches deleting the voice message from the InBox and storing the deleted voice message in the Trash Bin. O'Neal further teaches expunging the deleted voice messages in the Trash Bin, but fails to teach deleting the deleted voice messages from the Trash Bin when its memory reaches a predetermined percentage of the capacity.

However, Sweet discloses a digital voice storage and retrieval system in figure 2. Sweet teaches that when voice messages in a voice file (memory) reach a predetermined percentage level, the oldest voice messages in the voice file will be deleted (column 12, lines 53-60).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the O'Neal's reference with the teaching of Sweet so that the oldest deleted automatically and permanently deleted when the memory of the Trash Bin reached a predetermined percentage of its capacity, because such a modification would have freed up memory space for newly deleted messages.

5. Claims 1-3, 12, 13, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones US 6,522,727 in view of Becker et al. US 5,699,411 and further in view of Carbone et al. US 5, 128,859.

5.1 Regarding claims 1, 12 and 22, Jones discloses a system a method for archiving voice messages in figures 1-5. Jones teaches:

retrieving a voice messages from voice messaging system's memory area (user accessible voice message memory) and storing said voice message in a transfer queue upon a user archiving command from a keypad (column 6, lines 7-13; column 7, lines 16-26, 31-44);

deleting said voice message immediately from said voice messaging system's memory area based on a user's keypad archiving option (Jones keypad option to archive reads on claimed keypad option to delete since the option to archive also deletes the voice message) (column 8, lines 1-5, 15-19, 33-36);

transmitting said voice message to an archiving system (column 2, lines 14-17; column 7, lines 53-56) for storing in a memory area (deleted voice message memory for storing a voice message deleted from voice messaging system) (column 8, lines 43-48; column 9, lines 323-36);

Jones teaches deleting a voice message from a voice messaging system and moving the deleted voice message to an archiving system when a user using a keypad to enter an archiving command (read on claimed "deleting" command), but fails to teach automatically compressing said voice message when it is archived.

However, Becker discloses a system for archiving voice files (voice messages) in figure 15. Becker teaches compressing archived voice messages to save memory space (column 14, lines 27-33).

In addition, Carbone teaches automatically compressing data files for archiving (column 2, lines 3-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Jones' reference with the teachings of Becker and Carbone, so that archived voice messages, which were deleted from the voice messaging system upon a keypad command, would have been automatically compressed and stored in the archiving system, because such a modification would have reduced the memory area (deleted voice message memory) required for storing the archived voice messages.

5.2 Regarding claim 2, Jones teaches a telephone interface 20.

5.3 Regarding claims 3, 13 and 23, it is obvious that an archived voice message can be retrieved for playback.

6. Claims 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knuth et al. US 5,400,393 in view of Bobick et al. US 6,535,583 and further in view of Tow EP 820182.

Knuth discloses a voice mail digital telephone answering device in figure 1 with a controller 20. Knuth teaches that a voice message from a caller is stored in a common memory area, or common mailbox (user accessible voice message memory, or first memory area) (column 2, lines 51-57; column 4, lines 58-66; column 6, lines 60-63). Knuth also teaches that when a user presses a number on a keypad (keypad option to move, reads on claimed "delete") to indicate an individual mailbox number during playback, the voice message stored in the common memory area is deleted and moved to the individual mailbox (deleted voice message memory, or second memory area, for storing a voice message deleted from the common memory area) (column 5, lines 37-48; column 6, lines 64-68; column 7, lines 1-6; Abstract). Knuth further teaches dynamically allocating mailboxes so that messages for one user are partitioned from (messages of) other users (column 2, lines 32-35). Knuth fails to explicitly teach compressing the voice message when moved, and each mailbox memory space is dynamically adjusted.

However, Bobick discloses a voice messaging system in figure 1. Bobick teaches that after a voice message has been played back to a user, the played voice message is automatically compressed and restored (column 1, lines 50-62).

In addition, Tow teaches dynamically modifying disk space for mailboxes (column 1, lines 5-10), and when messages are deleted from, or added to a mailbox, the disk space is reduced or increased accordingly (Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Knuth's reference with the teachings of

Art Unit: 2614

Bobick and Tow, so that after played back and moved to an individual mailbox, a voice message would have been automatically compressed, and memory space for mailboxes would have been dynamically adjusted when messages were added to or deleted from, because such a modification would have reduced storage area for old (played) messages, and allocated memory space based on actual usage.

Response to Arguments

7. Applicant's arguments with respect to claims 1-9, 11-20 and 22-26 rejected over O'Neal in view of Wallace and further view of Iyengar have been considered but are moot in view of the new ground(s) of rejection.

8. Applicant's arguments filed on 04/11/2005 with respect to claims 28-30 rejected over Knuth in view of Tow have been considered but are moot in view of the new ground(s) of rejection.

9. Applicant's arguments filed on 04/11/2005 with respect to claims 1, 12 and 22 rejected over Jones in view of Becker and Carbone have been fully considered but they are not persuasive.

Applicant argues that an archived voice message is not a deleted voice message as claimed. However, since applicant defines the term "delete" in the specification and the claims as "move", not "erase", and Jones teaches a user uses keypad to archive a voice message, and upon the archive option is selected from the keypad, the voice

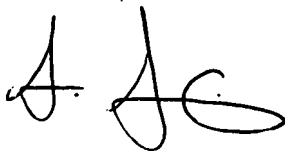
Art Unit: 2614

message is immediately and automatically deleted from the user's mailbox (user accessible memory) and moved to an archive system (deleted voice message memory).

Therefore, the Jones' keypad option reads on the claimed "delete" option, because it moves a voice message from one memory area to another, and an archived voice message reads on the claimed "deleted" voice message.

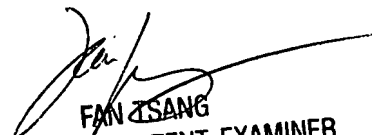
Conclusion

10. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.



S. Sing

07/02/2007



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600